Previous references.

1911-12

(Banking)

Later references.

File No. 29-11

Serial Nos. 1-2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-2

Part B. for April 1912

SUBJECT.

Question of allowing payment of premia on the policies held by clerk Thammappaji of the Comptroller's office declared to be insane

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From Secy Insurance Committee.
No 2771 d. 8. 3. 12.

Recommends that the prayer of the wife of Thammappaji to continue the payment of premia on her husbands policies out of his pension may be allowed as a special case.

2. To the Secy Insurance Committee and Comptroller
No 4474-75 d. 23. 4. 12.

Sanctions, with certain remarks, the recommendations in Sl 1 as a special case.

G.R.S. 11] 191/-12

GENERAL AND REVENUE SECRETARIAT.

(Banking

NOTES.

File No. 29

FILE HEADING.

Question of allowing payment of premia for the policies held by clerk Thammappaji of the Comptroller's office declared to be insane

From

The Secretary, Travancore Cochin

No. 2771 Dated 8.3.12 Received 9.3.12

Diary No. 3228	Enclos. 1 file	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Recommends that the prayer of the wife of Thammappaji to obtain the payments of premia on her husband's policies out of his pension may be allowed as a special case.

NOTES AND ORDERS.

The facts of the case are briefly these - Thammappaji went mad & was retired in July 1905. He applied for refund of premia in Dec 1905. An enquiry was

NOTES—First Sheet.

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was ordered to be instituted but was not pursued. By this time the one year allotted for election of either of the courses open to ~~the~~ the assurant under similar circumstances [either to continue payment of premia or to take immediate payment ~~had elapsed~~ of Surrender Value] had elapsed & the premium yet remaining due on the policies have now properly to be treated as a debt against the policies Towards the Strict application of rules in the present case would not ~~and~~ meet the ends of justice. & the reason is clearly set forth in the full notes of the Assurance Secretary on the question who recommends that the prayer of Thummappa's wife to credit payments of premium out ~~of~~ of her husband's pension may be complied with not merely

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G. R. S. 12]
General and Revenue Secretariat.

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as a matter of grace leads
as the last takes as the
only proper course left open
for a right solution of the
question.
Asked for orders.
20/3 45 The President of the Sus: Comm: is also
in favour of showing the Concession asked for
by the Petitioner
RR
24/3/12.

Is the Lunacy Law in force
here & can the Superintendent show
if she had no legal Status under the
Lunacy act? [Advocate Gen: says!]
21.3.12

To Branch III for kindly
noting the information required
by the Asst. Surgn.
Ref 45
24/3/12 RR
22.3.12.

Submitted.

The Lunacy Acts of 1858 are not
in force in Mysore (vide Legis. enactments
in force in Mysore). The only Law on
Lunacy in force in Mysore now is the

Gris 127

NOTE—Contn. sheet.

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G. R. S. 12]

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Reg IV

the ~~Chief Commissioner~~ Govt of India Notn. Foreign Dept. No. 75-J dated 25/4/1872. This Notn was repealed by Regn I of 1911 (the Guardian and Wards Regn) except as to Rule 22 and so much of Rule 23 as relates to orders passed under Rule 22 and except so far as may be necessary to give effect to Rule 22 i.e. except so much of it as relates to lunatics, idiots and other individuals incapacitated by natural infirmity. This Notn deals only with appointment of guardians &c and duties of such guardians when so appointed. Under Rule 3 of the Notn the wife under the circumstances referred to has the right to apply to the proper civil court for a certificate of administration to the estate of her lunatic husband. But whether before getting such a certificate she has any legal status to ~~man~~ administer is not clearly stated in these rules. That is

23/3/12

Lucas Collen S.H. on Monday 25th. 30.3.12.

NOTE—Contn. sheet.

GMS—20,000—26-1-12

G. R. S. 12]

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no objection if the wife acting on behalf of her insane husband if there is no nearer person more competent but equally interested [e.g. a grown up son] or able or willing to act. If a guardian has been appointed to the Calcutta lunatic by a Court then only such guardian can manage the lunatics affairs.

To B

8/4/12

(Sd.) The question now is whether the policy can be revived and the premiums in arrears deducted out of the pension remaining under order from July 1907.

~~It is incorrect to say that the~~ Mr. Krishna Rau's note flagged S goes fully into the question and the request may be sanctioned as a special case by Govt. ~~a general provision in the Insurance Rules to meet such cases~~

Asst. Sec'y. 11.4.12

We may reply that if pension is drawn & arrears of premium paid

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat.

B File No. 29 of 1911

Serial No.

from it, the amount may be accepted & further payts of premium may also be accepted as a special case. It should be added however that the pension can only be drawn by a person legally entitled to draw the same. As pension from 1907 due to the man is lying with Govt no interest need be charged on the arrears of premium.

11/4

Draft noted.
Should not a copy of the letter be sent to the Comptr also for information

Issue and send a copy to Comptr Accts.
17/4/12

Banking

Ref to B/24
17/4/12

To the Secretary, Insurance Committee
No H 4674 dd 23-4-12

Informs that if the pension is drawn & the arrears of premium paid from it, the amount may be accepted & further payments to their lady fund may also be

NOTE—Contn. sheet.

GPB—20,000—20-1-12

Serial No.

accepted as a Special case observes that the pension should however be drawn by one legally entitled to it & also in consideration of the pension amount lying in the hand of Govt since 1907 no interest will be charged on the arrears of pension.

H4495-J 23-6-1912

Forwards copy to the Comptr for information

NOTE—Contn. sheet.

GPT—20 000—20-1-12

OFFICE OF THE SECRETARY,
MYSORE STATE LIFE INSURANCE COMMITTEE.

No. 2771/1file. *Bangalore, dated* 1st March 1912.

8

II
9/3 PM
Scan1

From

DIARY No. 3228

M. N. Krishna Rao Esq., B.A.,
J. S. CHAKRAVARTI, ESQ., M.A., F.R.A.S., etc.,
Offg: *Secretary, Mysore State Life Insurance Committee,*
Bangalore.

10/1-10/2
SECTION Banking
FILE No.
SERIAL No.

To

The Financial Secretary,
to the Government of His Highness
the Maharaja of Mysore, Bangalore.

SIR,

I have the honour to state that one B. Thimmappaji, an Accountant of the Comptroller's Office, and holder of policies No: 617 & 3602 was retired on pension with effect from -- 29th July 1905.

His attention was drawn to the provisions of Rule 10, in reference to his insurance policies and in his Post Card dated 7th December 1905, he asked for the settlement of his case as he did not like to continue payment of premium. As he was unsound of mind, no action was taken on his application. Thimmappaji's wife in her application dated 15th ~~March~~ January 1912, addressed to the Comptroller, prays that the premium due on the policies held by her husband may be deducted out of the pension due to him from July 1907.

Rule 24 of the insurance rules permits deduction of the premium from pension with the consent of the insured but that consent has to be notified within 12 months from the date the insured ceases to be in Service. In this case the insured was incapable of making the election owing to his unsoundness of mind.

The papers bearing on the case are herewith forwarded for reference and obliging return when no longer required and

GPB—3000—27-1-12.

as

2

as directed by the President of the Insurance Committee, it is recommended that the Government may be pleased to permit the deduction of the premium from the pension due to Thimmappaji from 1st July 1907.

I have the honor to be,

Sir,

Your most obedient servant,

J. Rajachetty

Secretary,

Insurance Committee.

A.K.

G.R.S. 26]

File No. 29

Serial No. 2

Diary No. of letter replied to 3228

F1

No. H 44474

23-4-12

General and Revenue Secretariat

(Bangalore)

the 23rd *19* .

To

The Secretary Lunacy Committee

Sir,

Date of issue 23-4-12

Signed by W. Shamanna

2 copies

With reference to your letter No. 2771 D. 8-3-12 recommending that the prayer in the letter of the wife of Thimmappa, an inmate of the Lunatic Asylum who is pronounced insane, to be allowed to continue the payment of pension to her husband

(?)

over.

SUBJECT.

10/4/12

4

folios out of his pension [illegible] dated 30th May 1907

~~may be allowed~~ I am directed to State that if the pension is drawn & the arrears of pension paid from it, the amount may be accepted & further payments of pension after the pension Premiums may also be ~~accepted~~ as a Special Case.

It should however be noted that the pension can only be drawn by a person legally entitled to do so.

In consideration of the pay arrears of pension of the said Thomas Pay lying with Forty-five 1907 no interest need be charged on the arrears of premium.

List of enclosures,

Encls returned
Kd
27/4/12

No 4475
of 23-4-12
Memo

Copied by Copy forwarded to the

Examined by

Compt^r for information

~~Compt~~ By Order,

GPB—20,000—26-9-10

Kd 17/4/12
For H Lucy

Copy to Compt^r Kd 17/4/12

Obed

Forsey